

2. VARIANCE(S) REQUEST:

VARIANCE NO. 1

I (WE) HEREBY APPLY TO THE ZONING BOARD OF APPEALS FOR A VARIANCE(S) OF THE FOLLOWING REQUIREMENTS OF THE ZONING ORDINANCE.

§240-30 ACCESSORY BUILDINGS

(Indicate Article, Section, Subsection and Paragraph)

REQUIRED: No more than two accessory buildings shall be permitted in any one-family residential district.

REQUIRED SETBACK: NA

APPLICANT(S) CAN PROVIDE: Three total accessory structures

THUS REQUESTING A VARIANCE OF: One additional accessory structure

TO ALLOW: Three total accessory structures (small storage sheds)

VARIANCE NO. 2

I (WE) HEREBY APPLY TO THE ZONING BOARD OF APPEALS FOR A VARIANCE(S) OF THE FOLLOWING REQUIREMENTS OF THE ZONING ORDINANCE.

§240-21 YARDS AND SETBACKS

(Indicate Article, Section, Subsection and Paragraph)

REQUIRED SETBACK: 40 foot rear yard setback for pool.

APPLICANT(S) CAN PROVIDE: 20 foot rear yard setback for pool.

THUS REQUESTING A VARIANCE OF: 20 foot (50%) rear yard variance for pool.

TO ALLOW: 20 foot rear yard setback.

VARIANCE NO. 3

I (WE) HEREBY APPLY TO THE ZONING BOARD OF APPEALS FOR A VARIANCE(S) OF THE FOLLOWING REQUIREMENTS OF THE ZONING ORDINANCE.

240-37

(Indicate Article, Section, Subsection and Paragraph)

REQUIRED SETBACK: 10 feet to side yard (left)

APPLICANT(S) CAN PROVIDE: 6.2 feet for the shed

THUS REQUESTING A VARIANCE OF: 3.8 feet

TO ALLOW: Shed to remain

APPEAL CONCERNS THE FOLLOWING PROPERTY - RESIDENTIAL PROPERTIES ONLY
ENTIRE SECTION MUST BE COMPLETED
STRUCTURES UNDER 144 SF, REQUIRE ONLY 10 FT TO THE SIDE AND REAR PROPERTY LINES

Zoning District: R-20	Minimum allowed by Town Code	Current Setback	New Setback	Variance Required
Front Yard Setback (R-10, 25 ft) (R-15 & R-20 - 35 ft) (R-40 & R-80, 50ft.) (R3-A, 75 ft) (R-5A - 100ft.) (RMF-3 & RMF-5, 50 ft.) STATE OR COUNTY ROADS REQUIRE A 75 FT FRONT SETBACK IN ALL DISTRICTS	35 ft.	95 ft. 9.6 in.	92 ft. 9.6 in.	ft. in.
Rear Yard Setback (R-10, 25 ft) (R-15, 30ft) (R-20 - 40 ft) (R-40 & R-80, 50ft.) (R3-A, 50 ft) (R-5A - 100 ft.) (RMF-3 & RMF-5, 50 ft.)	40 ft.	18 ft. 0 in.	20 ft. 0 in.	20 ft. 0 in.
Side Yard Setback (R-10, 12 ft) (R-15, 15 ft) (R-20, 20 ft) (R-40, 25 ft) (R-80, 40 ft.) (R3-A, 50 ft) (R-5A, 50 ft.) (RMF-3, 50 ft.) (RMF-5, 25 ft.)	20 ft.	49 ft. 3.6 in.	6 ft. 2.4 in.	3 ft. 9.6 in. (Accessory structure under 144 SF)
Maximum building coverage (R-10, 25%) (R-15, 20%) (R-20, 15%) (R-40, 12%) (R-80, 10%) (R3-A, 7%) (R-5A, 5%) (RMF-3, 30%.) (RMF-5, 45%)	15 %	11 %	10 %	%

3. **REASON FOR APPEAL** *(Please substantiate the request by answering the following questions in detail. Use extra sheet, if necessary):*

A. IF YOUR VARIANCE(S) IS (ARE) GRANTED, HOW WILL THE CHARACTER OF THE NEIGHBORHOOD OR NEARBY PROPERTIES CHANGE? WILL ANY OF THOSE CHANGES BE UNDESIRABLE OR A DETRIMENT TO THE NEIGHBORHOOD? PLEASE EXPLAIN YOUR ANSWER IN DETAIL.

The requested variances would not produce any undesirable changes to the character of the neighborhood. The placement of the pool is consistent with other properties within the neighborhood such as 21 Carroll Dr and 10 and 14 Rowell Ln. The placement of the shed is consistent with what can be found at 10 and 14 Rowell Ln.

B. PLEASE EXPLAIN WHY YOU NEED THE VARIANCE(S). IS THERE ANY WAY TO REACH THE SAME RESULT WITHOUT A VARIANCE(S)? PLEASE BE SPECIFIC IN YOUR ANSWER.

The owners needs cannot be met without the variance, in addition a pool exists and was permitted which is within 18 feet of the rear property line, so the proposed application is a reduction in the degree of non-conformity compared to the existing condition.

C. HOW BIG IS THE CHANGE FROM THE STANDARDS SET OUT IN THE ZONING LAW? IS THE REQUESTED AREA VARIANCE(S) SUBSTANTIAL? IF NOT, PLEASE EXPLAIN, IN DETAIL, WHY IT IS NOT SUBSTANTIAL.

The requested variances are for 20 foot (50%) relief of the required side yard setback, 3.8 foot (38%) relief of the required accessory side yard setback, and one additional accessory structure (33%). The rear yard variance is not significant because it is actually a reduction of the existing non-conformity and is therefore an improvement. The accessory side yard is also not significant because it is only 3.8 feet of relief and is blocked by a fence. The variance to allow for one additional accessory structure is not significant because the additional structure is a small storage shed and the yard is enclosed in a fence.

D. IF YOUR VARIANCE(S) IS (ARE) GRANTED, WILL THE PHYSICAL ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD OR DISTRICT BE IMPACTED? PLEASE EXPLAIN, IN DETAIL, WHY OR WHY NOT.

The physical environmental conditions of the neighborhood or district will not be impacted because the proposed improvements area consistent with other properties within the neighborhood such as 21 Carroll Dr and 10 and 14 Rowell Ln.

E. HOW DID YOUR NEED FOR AN AREA VARIANCE(S) COME ABOUT? IS YOUR DIFFICULTY SELF-CREATED? PLEASE EXPLAIN YOUR ANSWER IN DETAIL.

The condition is not self created because a permitted pool exists in a similar location but is 2 feet closer to the rear yard, and the applicant wishes to replace with a modern in-ground pool therefore the process of the town has created the need for the variance.

Property within 500' of any of the following? If so, they are to be notified.

Town of Fishkill Town of Poughkeepsie Town of East Fishkill

Village of Wappinger Town of LaGrange

State or County Road (Rt 9, Rt 9D, Rt 376, DC Route 28, DC Rt 92, DC Rt 93, DC Rt 94, DC Rt 104 and DC Rt 1

4. LIST OF ATTACHMENTS (Check applicable information)

SURVEY DATED 10/29/25, LAST REVISED NA AND PREPARED BY Colliers Engineering & Design.

PLOT PLAN DATED 01/20/2026.

PHOTOS

DRAWINGS DATED 01/19/23.

LETTER OF COMMUNICATION WHICH RESULTED IN APPLICATION TO THE ZBA.

(e.g., recommendation from the Planning Board / Zoning Denial)

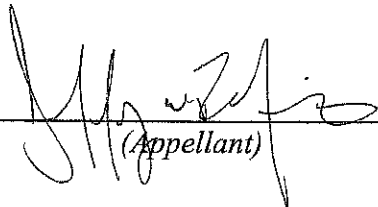
LETTER FROM Zoning Administrator DATED: 5/20/26
LETTER FROM _____ DATED: _____

OTHER (please list): _____

5. SIGNATURE AND VERIFICATION

PLEASE BE ADVISED THAT NO APPLICATION CAN BE DEEMED COMPLETE
UNLESS SIGNED BELOW.

THE APPLICANT HEREBY STATES THAT ALL INFORMATION GIVEN IS
ACCURATE AS OF THE DATE OF APPLICATION

SIGNATURE  DATED: 6/3/20
(Appellant)

SIGNATURE _____ DATED: _____
(If more than one Appellant)

.....
.....

DETERMINATION OF ZBA BASED ON THE ABOVE FACTORS:

The ZBA, after taking into consideration the above five factors, finds that:

1. THE REQUESTED VARIANCE(S) WILL / WILL NOT PRODUCE AN UNDESIRABLE CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD.
2. YES / NO, SUBSTANTIAL DETRIMENT WILL BE CREATED TO NEARBY PROPERTIES.
3. THERE IS (ARE) / IS (ARE) NO OTHER FEASIBLE METHODS AVAILABLE FOR YOU TO PURSUE TO ACHIEVE THE BENEFIT YOU SEEK OTHER THAN THE REQUESTED VARIANCE(S).
4. THE REQUESTED AREA VARIANCE(S) IS (ARE) / IS (ARE) NOT SUBSTANTIAL.
5. THE PROPOSED VARIANCE(S) WILL / WILL NOT HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD OR DISTRICT.
6. THE ALLEGED DIFFICULTY IS / IS NOT SELF-CREATED.

CONCLUSION: THEREFORE, IT WAS DETERMINED THE REQUESTED VARIANCE BE

GRANTED DENIED.

Reasons: _____

The ZBA further finds that a variance of _____ from Section of the Zoning Code _____ is the minimum variance that should be granted in order to preserve and protect the character of the neighborhood and the health, safety and welfare of the community because:

CONDITIONS: The ZBA finds that the following conditions are necessary in order to minimize adverse impacts upon the neighborhood or community, for the following reasons:

Condition No. 1. _____

Adverse impact to be minimized: _____

Condition No. 2: _____

Adverse impact to be minimized: _____

() FINDINGS & FACTS ATTACHED.

DATED: _____

ZONING BOARD OF APPEALS
TOWN OF WAPPINGER, NEW YORK

BY: _____
(Chairman)

PRINT: _____

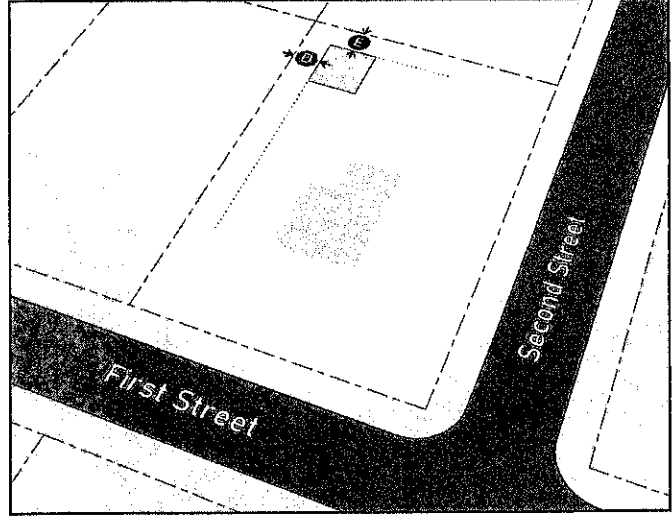
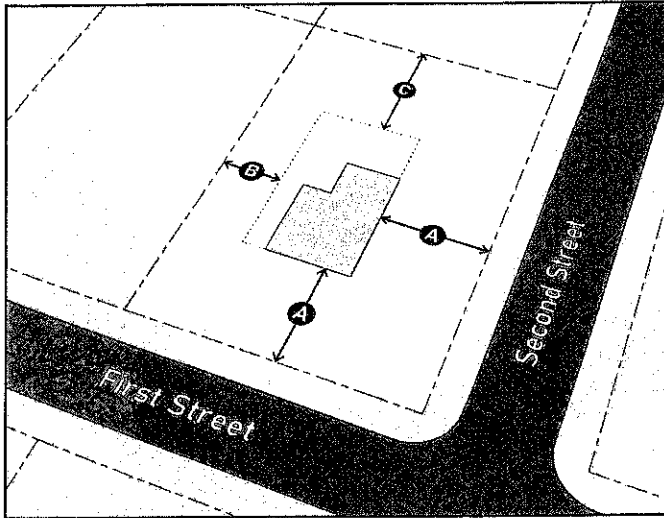
RECORD OF VOTE

	MEMBER NAME	AYE	NAY
Chair	John Lorenzini	_____	_____
Co-Chair	David Barr	_____	_____
Member	Tom DellaCorte	_____	_____
Member	Don Denardo	_____	_____
Member	Christopher Hernandez	_____	_____

R-20 One-Family Residence District

Building Placement and Composition

CORNER LOT



PRIMARY BUILDING SETBACKS

A Front yard from front line of street [min]	35'
B Side yard [min]	20'
C Rear yard [min]	40'

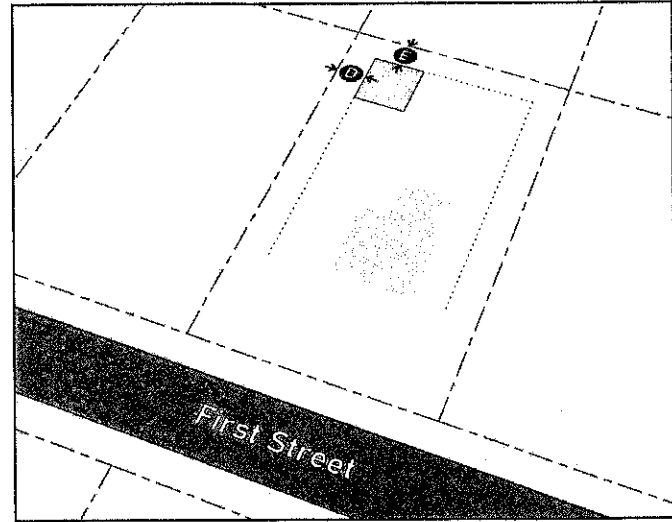
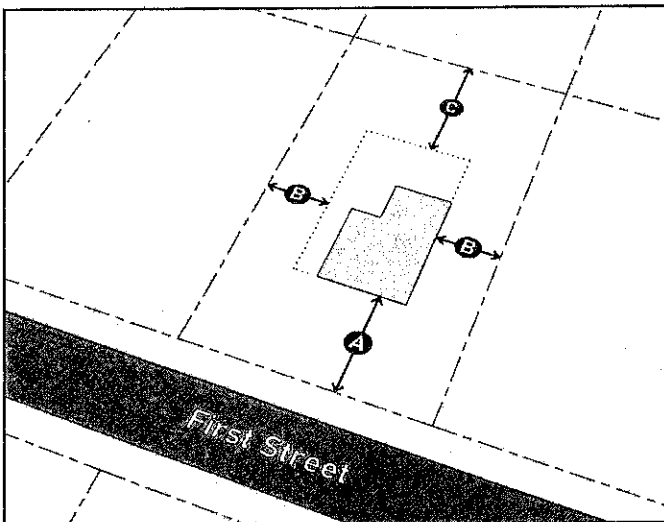
ACCESSORY BUILDING SETBACKS

Accessory Building < 15' high and < 144 sqft

D Side yard [min]	10'
E Rear yard [min]	10'

Notes · For a Corner Lot, the back yard and side yard can be determined by the Owner in consultation with the building department. This decision is then formalized by the placement of an accessory structure such as a shed, garage, pool, etc.
 · Accessory structures above this size must comply with the primary structure setback requirements.

INTERIOR LOT



PRIMARY BUILDING SETBACKS

A Front yard from front line of street [min]	35'
B Side yard [min]	20'
C Rear yard [min]	40'

ACCESSORY BUILDING SETBACKS

Accessory Building < 16' high and < 144 sqft

D Side yard [min]	10'
E Rear yard [min]	10'

Note · Accessory structures above this size must comply with the primary structure setback requirements.

Town of Wappinger
20 Middlebush Rd.
Wappingers Falls, NY 12590
(845) 297-6256

To: Rufino, Jeffrey
10 Carroll Dr

SBL: 6257-02-923602-0000
Date of this Notice: 05/20/2026
Zone:
Application: 46645

For property located at: 10 Carroll Dr

Your application for:
INSTALL A 16 x 32 INGROUND RECTANGLE POOL
LEGALIZE 3 SHEDS

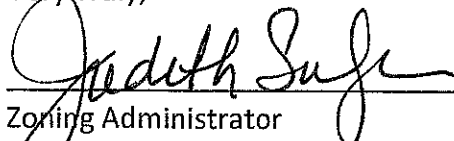
is denied for the following deficiency under Section 240-37 of the Zoning Laws of the Town of Wappinger.

Where a rear yard set back of 40' is required the applicant can provide 20' feet for a inground pool.
Where 2 accessory structures are allowed on a parcel the applicant is requesting 3 structures.
Where 10' is required for a shed under 144 sq ft the applicant can provide 6.2'

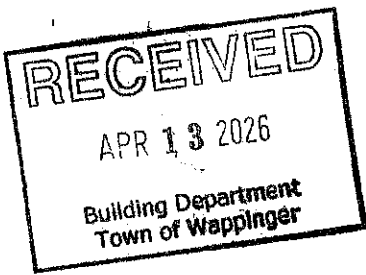
	REQUIRED:	WHAT YOU CAN PROVIDE:
REAR YARD:	<u>40</u> ft.	<u>20</u> ft. Pool
SIDE YARD (LEFT):	<u>10</u> ft.	<u>6.2</u> ft. Shed #2
SIDE YARD (RIGHT):	_____ ft.	_____ ft.
FRONT YARD:	_____ ft.	_____ ft.
SIDE YARD (LEFT):	_____ ft.	_____ ft.
SIDE YARD (RIGHT):	_____ ft.	_____ ft.

You have the right to appeal this decision to the Zoning Board of Appeals within 60 days of the date of this letter. This Zoning Board of Appeals meets the second and fourth Tuesday of the month. The area variance appeal will require at least two meetings, one for discussion and one for a Public Hearing. The required forms can be obtained at this office or on our website at www.townofwappingerny.gov

Very Truly,



Zoning Administrator
Town of Wappinger



TOWN OF WAPPINGER BUILDING DEPARTMENT

20 Middlebush Road, Wappingers Falls, N.Y. 12590

telephone: 845-297-6256 fax: 845-297-0579

APPLICATION FOR BUILDING PERMIT

APPLICATION TYPE: Residential
 New Construction Commercial
 Renovation/Alteration Multiple Dwelling

ZONE: R-20 DATE: 9/25/2025 4/17/2026
APPL #: 46645 PERMIT # _____
GRID: 135689-6257-02-923602-0000

APPLICANT NAME: TWC Landscaping LLC
ADDRESS: 981 Little Britian Road, Suite 200, New Windsor, NY 12553
TEL #: _____ CELL: (845) 475-6301 FAX #: _____ E-MAIL: twcscapingny@gmail.com

NAME OWNER OF BUILDING/LAND: Jeffrey and Nicole Rufino
PROJECT SITE ADDRESS: 10 Carroll Drive, Wappingers Falls, NY 12590
MAILING ADDRESS: 10 Carroll Drive, Wappingers Falls, NY 12590
TEL #: _____ CELL: (914) 334-3703 FAX #: _____ E-MAIL: _____

BUILDER/CONTRACTOR DOING WORK:
COMPANY NAME: TWC Landscaping LLC
ADDRESS: 981 Little Britian Road, Suite 200, New Windsor, NY 12553
TEL #: _____ CELL: (845) 475-6301 FAX #: _____ E-MAIL: twcscapingny@gmail.com

DESIGN PROFESSIONAL NAME: Colliers Engineering & Design (Attn.: Tyler Scognamiglio)
TEL #: (845) 564-4495 CELL: (516) 606-4818 FAX #: _____ E-MAIL: tyler.scognamiglio@collierseng.com

APPLICATION FOR: New in-ground pool and patio Rectangle 16 x 32
w pool Heater / propane source
To legalize 3 Sheds

SETBACKS: FRONT: 94.3 REAR: 10.4 L-SIDEYARD: 44.7 R-SIDEYARD: 43.1
SIZE OF STRUCTURE: 16' x 32'
ESTIMATED COST: \$30,000.00 TYPE OF USE: Residential

NON-REFUNDABLE APPL. FEE: 250 PAID ON: 4/17/26 CHECK # 937 RECEIPT #: 2026-00452
BALANCE DUE: _____ PAID ON: _____ CHECK # _____ RECEIPT #: _____

APPROVALS:
ZONING ADMINISTRATOR:
 Approved Denied Date: 5/19/26
[Signature]

FIRE INSPECTOR:
 Approved Denied Date: _____

Signature of Applicant
TWC Landscaping
Print Name or Company Name(if applicable)

Signature of Building Inspector

TOWN OF WAPPINGER PLOT PLAN

Building Permit # _____

Date 9/25/2025

Address: 10 Carroll Drive, Wappingers Falls, NY 12590

Interior/Corner Lot: *circle one*

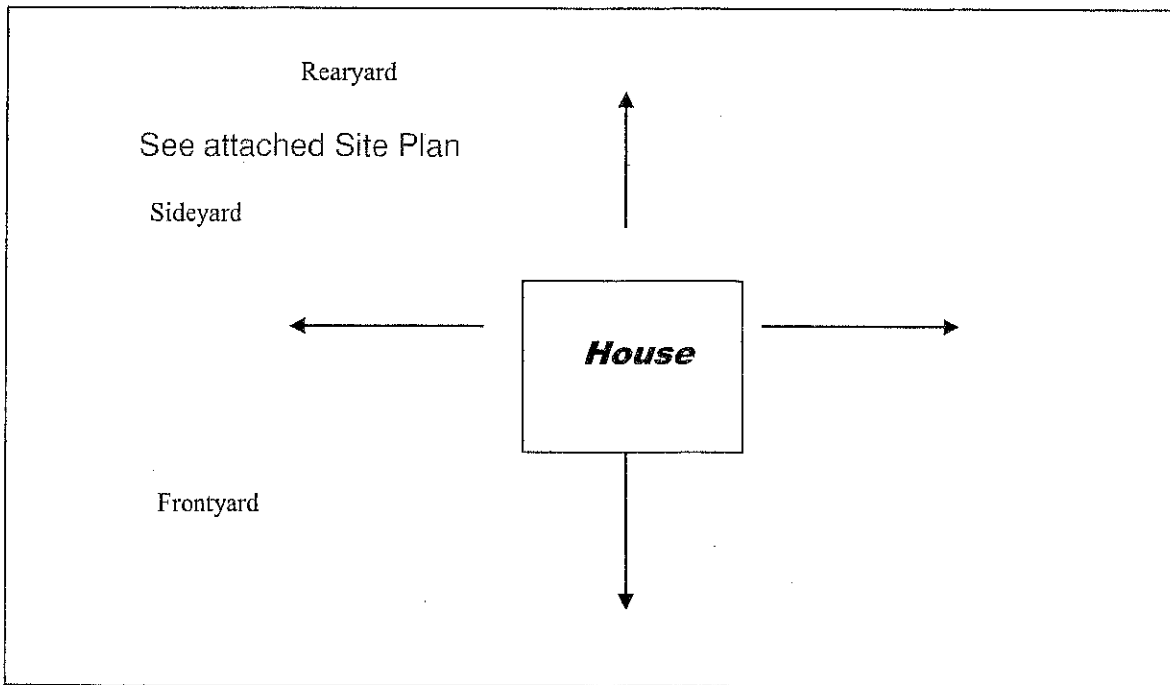
Owner of Land Jeffrey and Nicole Rufino

Zone: R-20

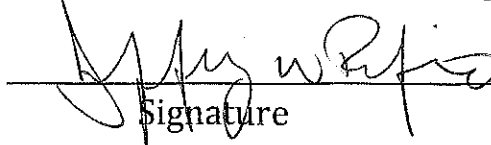
LIST ALL EXISTING STRUCTURES ON PROPERTY: (ie: Pool, shed, decks, detached garage)

1. House, above ground pool, two sheds, one deck, and a concrete patio

****STRUCTURE MUST MEET REQUIRED SETBACKS FROM PROPERTY LINES. CHECK WITH OFFICE TO DETERMINE SETBACK REQUIREMENTS****



Draw proposed structure on plot plan.
Indicate Location Setbacks to both sides and rear property line
measurement of structure you are applying for.


Signature

Approved:/Rejected: _____

Date: _____

Zoning Administrator